

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 219 be amended to read as follows:

- 1 Page 3, between lines 11 and 12, begin a new paragraph and insert:
- 2 "SECTION 3. IC 20-34-3-12, AS ADDED BY P.L.1-2005,
- 3 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2009]: Sec. 12. (a) For purposes of this section, "modified
- 5 clinical technique" means a battery of vision tests that includes:
- 6 (1) a visual acuity test to determine an individual's ability to see
- 7 at various distances;
- 8 (2) a refractive error test to determine the focusing power of the
- 9 eye;
- 10 (3) an ocular health test to determine any external or internal
- 11 abnormalities of the eye; and
- 12 (4) a binocular coordination test to determine if the eyes are
- 13 working together properly.
- 14 (b) The governing body of each school corporation shall conduct:
- 15 (1) an annual vision test, using the modified clinical technique, of
- 16 each student upon the student's enrollment in either kindergarten
- 17 or grade 1; and
- 18 (2) an annual screening test of the visual acuity of each student
- 19 enrolled in or transferred to grade 3 and grade 8 and of all other
- 20 students suspected of having a visual defect.
- 21 (c) Records of all tests shall be made and continuously maintained
- 22 by the school corporation to provide information useful in protecting,
- 23 promoting, and maintaining the health of students. The state

department of health and the state board shall adopt joint rules concerning vision testing equipment, qualifications of vision testing personnel, visual screening procedures, and criteria for failure and referral in the screening tests based on accepted medical practice and standards.

(d) Records of all tests conducted under this section shall be provided by the school corporation to the state department of health.

SECTION 4. IC 20-34-3-13, AS ADDED BY P.L.1-2005, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 13. (a) If a school corporation is unable to comply with section 12(b)(1) of this chapter, the governing body may, before November 1 of a school year, request from the state superintendent a waiver of the requirements of section 12(b)(1) of this chapter.

(b) The waiver request under subsection (a) must:

- (1) be in writing;
- (2) include the reason or reasons that necessitated the waiver request; and
- (3) indicate the extent to which the governing body attempted to comply with the requirements under section 12(b)(1) of this chapter.

(c) The state superintendent shall take action on the waiver request not later than thirty (30) days after receiving the waiver request.

(d) The state superintendent may:

- (1) approve the waiver request;
- (2) deny the waiver request; or
- (3) provide whatever relief that may be available to enable the school corporation to comply with the requirements under section 12(b)(1) of this chapter.

(e) If the state superintendent approves the waiver request, the governing body shall conduct an annual screening test of the visual acuity of each student upon the student's enrollment in or transfer to grade 1.

(f) The governing body of each school corporation shall make and maintain records of all waivers requested under this section.

1 **(g) Records of all actions taken by the state superintendent**
2 **concerning all waivers requested under this section shall be made**
3 **and continuously maintained by the state superintendent."**

4 Renumber all SECTIONS consecutively.
 (Reference is to ESB 219 as printed March 31, 2009.)

Representative Porter